

**Response to Missing Requirements Under
35 USC § 371**

Attorney Docket No.: DECLE61.003APC
First Named Inventor: Van Quaquebeke, et al.
Int'l Application No.: PCT/EP2003/011194
US Application No.: 10/530,904
Entered National Phase: April 8, 2005
Title: 2" OXO-VORUSCHARIN AND DERIVATIVES THEREOF

Direct all correspondence to Customer No.: 20995

Date: December 20, 2005

Page 1 of 1

Mail Stop PCT
United States Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

December 20, 2005

(Date)

Che S. Chereskin

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated September 19, 2005.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 4 pages.
- (X) Return prepaid postcard.

FILING FEES NOT YET PAID:

FEE CALCULATION				
FEE TYPE		SMALL FEE	CALCULATION	TOTAL
Late Oath/Decl.	37 CFR § 1.492(h)	2617 (\$65)		\$65
Excess Claims	48 - 45 = 3	2615 (\$25)	3 x 25 =	\$75
Excess Ind. Claims	5 - 5 = 0	2614 (\$100)	0 x 100 =	\$0
2 Month Extension	37 CFR § 1.17(a)(2)	2252 (\$225)		\$225
			TOTAL FEE DUE	\$365

- (X) A check in the amount of \$365 is enclosed to cover the above fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.

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12/30/2005 MKAYPAGH 00000025 10530904

01 FC:2617 65.00 0P
02 FC:2615 75.00 0P

12/30/2005 MKAYPAGH 00000025 10530904

03 FC:2252 225.00 0P
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MRB/CSC



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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/530,904	Eric Van Quaquebeke	DECLE61.003APC
INTERNATIONAL APPLICATION NO.		
PCT/EP03/11194		
I.A. FILING DATE		PRIORITY DATE
10/09/2003		10/09/2002
CONFIRMATION NO. 9951		
371 FORMALITIES LETTER		
 OC000000017017553		

Date Mailed: 09/19/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/08/2005
- Copy of the International Search Report filed on 04/08/2005
- Copy of IPE Report filed on 04/08/2005
- Preliminary Amendments filed on 04/08/2005
- Information Disclosure Statements filed on 04/08/2005
- Request for Immediate Examination filed on 04/08/2005
- U.S. Basic National Fees filed on 04/08/2005
- Priority Documents filed on 04/08/2005
- Specification filed on 04/08/2005
- Claims filed on 04/08/2005
- Abstracts filed on 04/08/2005
- Drawings filed on 04/08/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$75 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$140** for a Small Entity:

- **\$65** Surcharge.
- Total additional claim fee(s) for this application is **\$ 75**
 - **\$75** for **28** total claims over **20**.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,904	PCT/EP03/11194	DECLE61.003APC

FORM PCT/DO/EO/905 (371 Formalities Notice)